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**Error! No sequence specified.UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**UNITED FOOD AND COMMERCIAL WORKERS  
INTERNATIONAL UNION-INDUSTRY  
PENSION FUND; and its Trustees,**

**Plaintiffs,**

**v.**

**E.M. SZCZEPKOWSKI & SONS, INC., d/b/a  
POLKA SAUSAGE, *et al.*,**

**Defendant.**

**Civil Action No.  
10 CV 5704**

**Judge Kennelly**

**ORDER AND FINAL JUDGMENT**

Upon consideration of Plaintiffs' Motion for Final Judgment by Default, pursuant to Rule 55(b) of the Federal Rules of Civil Procedure, and of the supporting memorandum, affidavits, and exhibits, and following due notice to Defendants, it is hereby:

ORDERED that the motion is granted and that final judgment be entered in favor of United Food and Commercial Workers International Union-Industry Pension Fund and its Trustees, Anthony M. Perrone, Patrick J. O'Neill, David S. Blitzstein, Brian A. Petronella, Roger Robinson, Kenneth R. Boyd, Walter B. Blake, William M. Vaughn, III, Stephen T. Brown, Michele A. Murphy, Richard A. Manka, and Richard D. Cox (collectively, the "Fund") as follows:

1. Judgment in the minimum amount of \$16,076.15, representing at least \$11,600 for delinquent contributions for the period of November 2007 through March 2010; \$1,092.35 in interest for the delinquent contributions for the period of November 2007 through March 2010 (calculated from the date contributions were due through October 20, 2010); liquidated damages in the amount of \$2,320; and \$1,063.80 for attorneys' fees and costs incurred by Plaintiffs in the current action from September 1, 2010 through October 17, 2010; provided, that Plaintiffs shall

have the right to seek a supplemental judgment for any and all amounts that become due during pendency of this case and any additional attorneys' fees or costs incurred in the collection of contributions owed for the periods set out in this Order.

2. Interest on the above judgment amounts at the rate permitted by 28 U.S.C. Section 1961 from the date of judgment to the date paid.

It is also hereby ORDERED that Defendants are hereby ordered to:

1. submit contributions due and owing at the time of entry of this Order and Final Judgment, with interest, liquidated damages, and attorneys' fees and costs pursuant to the Employee Retirement Income Security Act, 29 U.S.C. Section 1001, et seq; and

2. pay to the Fund all monies that Defendants are obligated to pay under Defendant E.M. Szczepkowski & Sons, Inc. d/b/a Polka Sausage's ("Polka Sausage") collective bargaining agreement, participation employer agreement and the governing documents of the Fund.

Since Plaintiffs have relied on information provided by Defendants or by third parties to determine the delinquency for the period of November 2007 through March 2010, Plaintiffs shall have the right to recover any additional unpaid principal which they may discover is owed for these months, with statutory relief and penalties as provided by ERISA, 29 U.S.C. Section 1132(g)(2).

ENTERED: \_\_\_\_\_

11-17-10



UNITED STATES DISTRICT JUDGE